

Appln No. 09/707,603

Amdt date December 31, 2003

Reply to Office action of July 31, 2003

**REMARKS/ARGUMENTS**

Claims 1-25 are pending in this application. Independent Claims 1-13 and 21-23, stand rejected under 35 U.S.C. 101. Claims 1-25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,835,087 issued to Herz et al. (Herz et al.) in view of U.S. Patent No. 6,178,411 issued to Reiter (Reiter). The Applicant thanks the Examiner for his attention to this matter.

Independent claims 1, 7, and 13 have been amended to recite structural elements used to implement the method. Specifically, the claims have been amended to clarify the roles of the advertising server and viewer browser linked by a communications link. The advertising server, communications link, and viewer browser are illustrated in FIG. 1 and their roles are discussed in the body of the specification starting at second full paragraph of page 3.

With regard to amended claims 6 and 12, these claims have been amended to further clarify the roles of the structural elements of the claimed invention.

Claim 2 has been canceled. Claim 2's limitations have been added to claim 1. Specifically, the "advertising incentive" of claim 1 has been clarified to be the "entry into a game of chance" of claim 2.

Claim 8 has been canceled. Claim 8's limitations have been added to claim 7. Specifically, the "advertising incentive" of claim 7 has been clarified to be the "entry into a game of chance" of claim 8.

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Claim 15 has been canceled. Claim 15's limitations have been added to claim 14. Specifically, the "advertising incentive" of claim 14 has been clarified to be the "entry into a game of chance" of claim 15.

With regard to amended claim 1, the Applicant respectfully submits that Herz et al. in light of Reiter does not teach all of the limitations of the Applicant's invention as claimed in amended claim 1. Herz et al. teaches a system for constructing target profile interest summaries that help users to select targeted media objects. These targeted media objects may include advertising. Reiter teaches a computer system providing various types of printed information on various types of written communications. One type of printed information includes a sweepstakes entry. Neither Herz et al. nor Reiter, either alone or in combination, teach nor suggest **entry into a game of chance to the viewer as an advertising incentive** as claimed by the Applicant.

In fact, neither reference discusses how to provide **advertising incentives** to users to view **advertising content**. In Herz et al., advertising material is transmitted to a user as an ancillary "subsequent message" (Column 40, Line 5) that is not specifically requested by a user. Therefore, there is no need to provide an incentive to a user to view the advertising material transmitted to the user irregardless of the user's desire to view the advertising material. In a similar manner, the sweepstakes entries of Reiter are sent to the recipient as part of a customized label attached to a package that is addressed to the recipient (Column 2, Lines 45-51). The

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sweepstakes entry is simply given to the recipient and is not linked to any advertising content as an incentive to view the advertising content. Therefore, modifying Herz et al. in accordance with the teachings of Reiter simply yields a system for tracking a sweepstakes entry given to a recipient. As Herz et al. in light of the teachings of Reiter does not include **entry into a game of chance to the viewer as an advertising incentive** as claimed by the Applicant, the Applicant submits that independent claim 1 is in condition for allowance and respectfully requests same.

With regard to amended independent claims 7, 13, 14, and 20, each of these claims include **an entry into a game of chance** provided to a viewer **as an advertising incentive**. Therefore, the comments presented above with regard to independent claim 1 apply to independent claims 7, 13, 14, and 20 as well. As neither Herz et al. nor Reiter, either alone or in combination, teach nor suggest **entry into a game of chance to the viewer as an advertising incentive** as claimed by the Applicant, the Applicant submits that independent claims 7, 13, 14, and 20 are in condition for allowance and respectfully requests same.

With regard to remaining dependent claims 3-6, 9-12, 16-19, and 21-25, these claims are dependent from their respective independent claims and therefore include all the limitations of their respective independent claims and additional limitations therein. Accordingly, these claims are also allowable for the same reasons set forth hereinbefore as well as the additional limitations recited.

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The Applicant submits that the claims remaining in this case are in condition for allowance and requests same.

Respectfully submitted,

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